



Comptroller General  
of the United States  
Washington, D.C. 20548

431101

## Decision

**Matter of:** Jim Plunkett, Inc.  
**File:** B-259899  
**Date:** January 18, 1995

### DECISION

Jim Plunkett, Inc. protests the rejection of its bid as nonresponsive under Department of the Army solicitation No. DACA45-94-B-0123. The protester was notified in a November 23, 1994, letter from the Army, received on November 28, that its bid was being rejected as nonresponsive due to a specified bid bond deficiency. By letter dated December 29, received January 4, 1995, Jim Plunkett filed its protest in our Office.

We dismiss the protest as untimely. Our Bid Protest Regulations contain strict rules requiring timely submission of protests. Under these rules, protests not based upon alleged improprieties in a solicitation must be filed no later than 10 working days after the protester knew, or should have known, of the basis for protest, whichever is earlier. 4 C.F.R. § 21.2(a)(2) (1994). Here, since Jim Plunkett did not file its protest in our Office within 10 working days after November 28, the date it received notice of the specific reason for rejection of its bid, we decline to consider the matter on the merits.

Our timeliness rules reflect the dual requirements of giving parties a fair opportunity to present their cases and resolving protests expeditiously without unduly disrupting or delaying the procurement process. Air Inc. - Request for Recon., B-238220.2, Jan. 29, 1990, 90-1 CPD ¶ 129. In order to prevent those rules from becoming meaningless, exceptions are strictly construed and rarely used. Id.

The protest is dismissed.

A handwritten signature in cursive script, appearing to read "John M. Melody".

John M. Melody  
Assistant General Counsel